

UNITED STATES DISTRICT COURT

for the

< Eastern > DISTRICT OF < Texas >

Chasidah Fried Plaintiff

v.

Texas Department Of Criminal Justice
Corporation etal.,

Defendant(s)

Case No. 6:16-CV-1092

FILED

MAY 08 2017

Clerk, U.S. District Court
Texas Eastern

NOTICE OF APPEAL

Notice is hereby given that Chasidah Fried versus [TDCJ Corporation et al., in the above named case Chasidah Fried hereby appeal to the United States Court of Appeals for the < Fifth > Circuit from the final judgment and order of Dismissal With Prejudice entered in this action on 09/06/2016

Date 09/13/2016 *CR*

05/08/2017

Chasidah Fried

Chasidah B. D. Friedman

Attorney for Pro Se until Motion for appointment of
Counsel is adjudicated)
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U.S. District Court

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|--------------------|----------------------------------|
| Plaintiff name(s), |) Case No.: 6:16-cv-1092 RWS-KNM |
| |) |
| Chasidah B.D Fried |) Appeal Rationale |
| |) |
| vs. |) |
| |) |
| Defendant name(s), |) |
| |) |
| T.D.C.J et al., |) |

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I Chasidah B.D Fried am requesting this appeal based on .

The contention that I have NOT received due process in as much as I was denied Legal counsel and held to the standard of a lawyer and not provided with the opportunity to mediate despite the fact that the Prima Facia evidence submitted supported my complaint and that is was mentioned at the hearing of February 1st2017.

684 Hagar v. Reclamation Dist., 111 U.S. 701, 708 (1884). "Due process of law is [process which], following the forms of law, is appropriate to the case and just to the parties affected. It must be pursued in the ordinary mode prescribed by law; it must be adapted to the end to be attained; and whenever necessary to the protection of the parties, it must give them an opportunity to be heard respecting the justice of the judgment sought. Any legal proceeding enforced by public authority, whether sanctioned by age or custom or newly devised in the discretion of the legislative power, which regards and preserves these principles of liberty and justice, must be held to be due process of law." Id. at 708; Accord, Hurtado v. California, 110 U.S. 516, 537 (1884).

1 1. The Retaliation Theory

2 My Eight Grievances were ignored, the "Investigations "of false allegations against me
3 affect me to date as they are in the State Record. It is clear in my complaint(s) and
4 affidavits that I was constructively terminated.

5
6 The elements of a claim under a retaliation theory are the plaintiff's invocation of
7 "a specific constitutional right," the defendant's intent to retaliate against the
8 plaintiff for his or her exercise of that right, a retaliatory adverse act, and
9 causation, i.e., "but for the retaliatory motive they complained of incident . would
10 not have occurred." Woods v. Smith, 60 F.3d 1161, 1166 (5th Cir.1995)

11
12 Citation of the litany of case law supporting TDCJ's losses in Jury Trials for
13 constructive termination, retaliation, and would create an undue burden on the court
14 But can be included in a later brief if necessary.

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16
17
18 Dated this 5th day of May 2017
19 Chasidah Fried
20 Pro Se
Post Office Box 126
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21 Firm's name and addresss
Names of attorney(s)
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